

The Washington Post

AN INDEPENDENT NEWSPAPER

The Walsh Report

INDEPENDENT Counsel Lawrence Walsh's final report on the Iran-contra affair is still under lock and key. But on Friday, a special court of three appellate judges ruled that it must be released, uncensored except for classified material. In so doing, the judges obviously disappointed some of the individuals named and allegedly treated unfairly in the report. But, whatever the excesses of the report may be, the court took the right course.

In compliance with the law, Mr. Walsh submitted his report to the court in August, and on Dec. 3 the court promised an early release. But the law also provides that individuals who have been mentioned critically in the document must be given a chance to reply. Some of them—the names have not been made public but are said to include former president Reagan, former attorney general Edwin Meese and former presidential aide Oliver North—not only submitted responses but wanted some material deleted from the Walsh report entirely. Consideration of these requests has delayed the court's action and even led to some unfair questioning of the personal integrity of the judges. But now an opinion has come down rejecting all requests for suppression of material and ordering the release of the Walsh report within 10 days, or as soon as the Supreme Court resolves any appeal that might be filed within that time period.

Is the report unfair to any individuals? The text is not yet available, but the advance notice seems to suggest that it is. The court itself says it is "rife with

accusations of guilt of criminal conduct against persons never indicted or convicted." Most of us can probably guess what that is about. Mr. Walsh is surely disappointed because some of the convictions he won were overturned on appeal and other cases were short-circuited by presidential pardon. His views on the facts as he sees them are undoubtedly reflected in the report. So, probably, are his beliefs about the involvement of President Reagan, who was neither accused nor convicted. In this connection, it is best to read his report with a copy of the real record close by. The court emphasizes that it does not endorse the contents of the document. In addition, say the judges, Mr. Walsh's statements about which charges—whether never brought, dismissed or unproven—are correct, should not be seen as "an official accusation of crime against anyone." None of this bodes very well for the fairness of the report.

Still, an informed public should be able to read the report keeping these caveats in mind, particularly since the document will be accompanied by the written comments and refutations of the men involved. Given the alternative of censorship, even on the grounds of fairness, the court correctly ruled for full disclosure. This case has been covered in depth for years. Efforts to suppress information—or even unsubstantiated opinion—at this point would be futile. Mr. Walsh's views will be judged on their own merit, and they will be worth having exactly as he has written them.